

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flagstar December 2021 Data
Security Incident Litigation

Case No. 4:22-cv-11385

Hon. Brandy R. McMillion
Magistrate Judge Kimberly G. Altman

JOINT MOTION TO STAY PROCEEDINGS PENDING MEDIATION

Plaintiffs, on behalf of themselves and on behalf of all others similarly situated, and Defendant Flagstar Bank, N.A. (the “Parties”), respectfully submit this joint motion to temporarily stay all proceedings and deadlines in this matter until July 3, 2025. In support of this Motion, the Parties state as follows:

1. The Parties jointly seek a ninety (90) day stay pursuant to this Court’s inherent power to preserve the Court and Parties’ resources.
2. The Parties agree that this Court’s “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket” *Gray v. Bush*, 628 F.3d 779, 785 (6th Cir. 2010).
3. Plaintiffs filed their Consolidated Class Action Complaint on June 23, 2023. (ECF No. 52).

4. On November 21, 2024, this Court entered a Case Management Requirements and Scheduling Order setting various discovery and briefing deadlines. (ECF No. 96).

5. The Parties have been engaging in discussions concerning potential settlement of this matter and have agreed to engage in mediation towards that goal.

6. In the interests of justice, and by the Parties' agreement, the Parties request that the Court stay all proceedings and deadlines in this matter to allow the Parties the ability to focus on an early resolution of this matter. *See Fed. R. Civ. P. 1* (noting the rules "should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding").

7. A stay of this case at this stage of the proceedings will promote judicial efficiency and will not prejudice the Parties or this Court. It will also relieve the Parties of undue burden and expense and will eliminate unnecessary costs pending the Parties' mediation and settlement discussions.

8. In the event the Parties' discussions do not culminate in a resolution of this matter, the Parties agree that the stay of proceedings may be lifted by either Party with the filing of a ten (10) day notice.

9. The Parties further agree that, in the event they have not filed a motion for preliminary approval of a settlement or a motion to lift the stay on or before July 3, 2025, they shall file a status report on that date, setting forth the status of their settlement efforts.

WHEREFORE, the Parties respectfully request that the Court enter an order staying all proceedings and tolling the deadlines in this matter for ninety (90) days and requiring that the Parties file a status report regarding their settlement efforts on or before July 3, 2025.

Dated: April 4, 2024

Respectfully submitted,

/s/ Norman E. Siegel

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CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2025, I caused a true and correct copy of the foregoing Joint Motion to Stay Proceedings Pending Mediation to be filed electronically with the Clerk of the Court using the CM/ECF system, which will automatically send notice of such filing to all counsel of record.

/s/ Marcella Lape
Marcella Lape